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REMARKS

The Examiner has rejected Claims 1, 2, 5, 6, 8-10, 13, 14, 16-18, 21, 22, and 24 under 35 U.S.C. 102(e) as being anticipated by US Patent 6,789,202 to Ko. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

Specifically, applicant has amended each of the independent claims to include the subject matter of Claims 8, 16, and 24. The Examiner relies on the following excerpt from Ko to meet applicant's claimed "wherein the plurality of security policies includes a default security policy, wherein the default security policy is selected by a computer within the distributed computing system if the specific security policy is defective" (now in each of the independent claims).

"The foregoing descriptions of embodiments of the invention have been presented for purposes of illustration and description only. They are not intended to be exhaustive or to limit the invention to the forms disclosed. Accordingly, many modifications and variations will be apparent to practitioners skilled in the art. Additionally, the above disclosure is not intended to limit the invention. The scope of the invention is defined by the appended claims." (col. 7, lines 23-30)

Such excerpt, however, is merely a final boilerplate paragraph of the instant prior art reference. Such paragraph adds no additional specifics over the remaining reference. Moreover, the Examiner argues that "[p]roviding a default security policy to computer system within a network to be used in case a specific policy is defective is an option that a skilled person in the art would take into consideration.

Applicant respectfully disagrees with this assertion. Only applicant has addressed the problem of defective policies, in the specific manner claimed, for ensuring that a proper default policy is in place in such critical situations.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as

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contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criteria has simply not been met by the Ko reference, especially in view of the amendments made hereinabove. A notice of allowance or a specific prior art showing of each of the claimed features, in combination with the remaining claim elements is respectfully requested.

Applicant further brings the Examiner's attention to the subject matter of the following new claims (Claims 25-28) which is believed to be allowable:

"wherein a host is provided including applications, a security posture interpreter, and a local policy database, the applications capable of registering with the security posture interpreter, whereupon registration, the security posture interpreter returns a current security policy to the applications" (see Claim 25);

"wherein the security posture interpreter includes a posture access agent, a posture registration agent, and a posture notification agent, whereupon notification of a new security posture, the posture access agent determines a current security posture by accessing a current security policy within the local policy database, the posture access agent provides the current security posture to the posture notification agent, the posture registration agent provides access for the applications to register with the security posture interpreter, whereupon one of the applications registering with the posture registration agent, the application provides a call-back address so that the posture notification agent notifies the application when the current security posture changes" (see Claim 26);

"whereupon the posture notification agent receiving notification that the current security policy has changed, the posture notification agent notifies the registered applications of the change in the current security posture" (see Claim 27); and

"wherein the local policy database includes a hierarchical data structure of directories and files, a top-level directory of the directories including a master policy with directories for a role authorization policy, an additional policy, and a security policy interpreter policy,

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the role authorization policy and additional policy including files which define the security policies for the role authorization policy and additional policy, each directory including multiple files, where each file specifies the security policy for a particular security posture" (see Claim 28).

A notice of allowance or a specific prior art showing of each of the claim limitations noted above, arranged as required by the claims, is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. NAI1P256/01.003.01).

Respectfully submitted,

By: _____

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9/29/04

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